

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL BRENT ROTHENBERG, et al.,  
Plaintiffs,  
v.  
FEDERAL DEPOSIT INSURANCE  
CORPORATION, et al.,  
Defendants.

Case No. 23-cv-01603-JST

**ORDER TO SHOW CAUSE RE:  
FAILURE TO FILE OPPOSITION**

Re: ECF No. 23

Defendant filed a motion to dismiss on September 7, 2023. ECF No. 23. The deadline to file an opposition has passed, and no opposition has been filed. Nor has Plaintiff filed the statement of non-opposition that is required when “the party against whom the motion is directed does not oppose the motion.” Civil L.R. 7-3(b). Within seven days of the date of this order, Plaintiff shall file either a written response showing cause as to why a timely opposition was not filed or a statement of non-opposition to the motion. This order does not constitute permission to file a late opposition.

The deadline to file a reply brief is vacated. The Court will schedule a new reply deadline and hearing date if necessary. The case management conference scheduled for January 30, 2024, is vacated. If Plaintiff does not file a timely response to this order to show cause, the Court may dismiss this case for failure to prosecute.

**IT IS SO ORDERED.**

Dated: January 17, 2024

  
JON S. TIGAR  
United States District Judge